



**THE ATTORNEY GENERAL  
OF TEXAS**

**PRICE DANIEL  
ATTORNEY GENERAL**

**AUSTIN, TEXAS**

**Honorable H. G. Hamrick, Member  
Industrial Accident Board  
Land Office Building  
Austin, Texas**

**Dear Mr. Hamrick:**

**Opinion No. O-6263**

**Re: Construction of Article 8306  
Section 8a, Revised Civil Statutes,  
as the same is affected by the mari-  
tal status of a minor daughter.**

**Your request for an opinion from this department is as  
follows:**

**"Will you kindly furnish me with your opinion regarding  
married women?"**

**"(1) Is a married woman under the age of 21 years  
who is dependent upon her father entitled to workmen's  
compensation upon the death of her father?"**

**"(2) Is a married woman under the age of 21 years  
of age who is not dependent upon her father entitled  
to workmen's compensation upon the death of her father?"**

**Article 8306, Sec. 8a, of the Revised Civil Statutes, provides:**

**"The compensation provided for in the foregoing  
section of this law shall be for the sole and exclusive  
benefit of the surviving husband who has not for good  
cause and for a period of three years prior thereto, a-  
bandoned his wife at the time of the injury, and of the  
wife who has not at the time of the injury without good  
cause and for a period of three years prior thereto,  
abandoned her husband, and of the minor children,  
parents and stepmother, without regard to the question**

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of dependency, dependent grandparents, dependent children and dependent brothers and sisters of the deceased employee; \* \* \*.

Article 4625 of the Statutes reads as follows:

"Every female under the age of twenty-one years who shall marry in accordance with the laws of this State, shall, from and after the time of such marriage, be deemed to be of full age and shall have all the rights and privileges to which she would have been entitled had she been at the time of her marriage of full age."

The Article last quoted precludes a holding that a married woman under the age of twenty-one years is a minor. By that emphatic statute such married woman is "deemed to be of full age". (See, *Dunkle v. Barkley*, 27 S.W. 1147).

Section 8a of Article 8306, however, regardless of age whatsoever, names "dependent children" as beneficiaries of the Compensation Act.

In view of this broad scope of Section 8a, including as it does dependent children regardless of age, it follows that your questions should be answered as follows:

- (1) A married woman under the age of twenty-one years, who is dependent upon her father, is entitled to the compensation.
- (2) A married woman under the age of twenty-one years, who is not dependent upon her father, is not entitled thereto.

In other words, to be such beneficiary, a daughter must be either a minor or a dependent.

Very truly yours

ATTORNEY GENERAL OF TEXAS

APPROVED NOV. 17, 1944  
Grover Sellers  
Attorney General of Texas

By  
Ocie Speer  
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OS-MR

APPROVED OPINION COMMITTEE  
By BWR, Chairman